IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Bail Appl..No. 2158 of 2007()

CRIME NO. 13/07 OF SOORAMANGALAM ALL WOMEN'S POLICE STATION

PETITIONERS/ACCUSED

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1. DR. T.N.VISWAMBARAN, AGED 68 YEARS,
   S/O. K.K.NARAYANAN, "VIDHYA", NEAR VYTTILA POWER
   HOUSE, BYE PASS ROAD, VYTTILA P.O., KOCHI-19.

2. N.RAMACHANDRAN, S/O. K.P.NEELAKANTAN,
   'SUMA MANDIRAM', MEL VETTOOR P.O.,
   VARKALA, THIRUVANANTHAPURAM-695 312.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM, KOCHI.

2. THE CITY COMMISSIONER OF POLICE,
   SALEM, TAMIL NADU.

3. THE STATION HOUSE OFFICER,
   SOORAMANGALAM ALL WOMEN'S POLICE STATION,
   SALEM, TAMIL NADU.

4. THE STATION HOUSE OFFICER,
   VARKALA POLICE STATION, VARKALA,
   THIRUVANANTHAPURAM DISTRICT.

5. THE STATION HOUSE OFFICER,
   PANANGAD POLICE STATION, PANANGAD.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD
ON 11/04/2007, ALONG WITH BA NO. 1810 OF 2007
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application Nos. 1810/07
and
2158 of 2007

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Dated, this the 11th day of April 2007

ORDER

When these applications for anticipatory bail came up for hearing, in order to see that a quietus is reached with regard to the matrimonial disputes between the first accused Dr. Binoy Babu and the de facto complainant Abitha Asokhan, both the parties were asked to appear before this Court. Both of them appeared and submitted that there is no chance of a re-union between them and that what remains to be done is an exchange of the properties in the possession of either parties and an application for divorce by mutual consent and withdrawal of the police cases initiated by Abitha Asokhan. The respective counsel also addressed this Court that an appropriate petition will be filed in that behalf and the properties, the number and identity which are not in dispute, would be exchanged. Accordingly, Dr. Binoy Babu and Abitha Asokhan have filed joint petition Crl. M.a. ....of 2007) duly signed by them and their respective counsels recording the fact that both sides have mutually exchanged the articles retained by them and that they will file an application under

Sec. 13 (B) of the Hindu Marriage Act before the appropriate forum seeking a divorce by mutual consent. Abitha Asokhan has agreed to withdraw all police complaints initiated by her against Binoy Babu. Even though both the marital partners have unfortunately agreed to part company, there seems to be an amicable settlement of all other disputes.

Learned counsel appearing for Abitha Asokhan undertakes that the necessary request will be made to the concerned police stations by Abitha Asokhan requesting the police not to pursue the complaints filed by her against Dr. Binoy Babu. It is agreed that the joint petition for divorce will be filed before the Family Court, Nedumangad, within three weeks from today. Recording the above submissions and also the averments made in Crl. M.C..... these petitions for anticipatory bail are closed.

V. RAMKUMAR,
(JUDGE)

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